

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 188 OF 2004

BETWEEN

Janak Ram Thakur, aged about 31 years S/o Shri Jagdish Ram, occupation Bhariya (Peon) Government Girls Higher Secondary School, Gurur, Block Gurur, District Durg (CG).

Bhagat Ram Netam, aged about 35 years S/o Shri Dukharam Netam, occupation Bhariya (Peon) Govt. H.S. School Furur, Block Gurur, District Durg (CG).

Vishal Ram Mandawi, aged about 33 years, S/o Shri Kawal Singh, occupation Bhariya (Peon), Govt. Girls H.S. School J./Sankara, Block Balod, District Durg.

Bhagat Ram Netam, aged about 41 years, S/o Shri Budharam Netam, occupation Bhariya (Peon) Govt. H.S. School Furur, Block Gurur, District Durg (CG).

Harakh Ram Gendre, aged about 38 years, S/o Shri Inayat Gendre, occupation Bhariya (Peon) Govt. Girls H.S. School J./Sankara, Block Balod, District Durg (CG).

Ganga Prasad Sirmour, aged about 36 years, S/o Shri Bhagwat Prasad, occupation Bhariya, Govt. Girls H.S. School Machadur, Block Durg District Durg (CG).

Narayan Prasad Bhargde, aged about 33 years, S/o Shri Khori Bahara Ram, occupation Bhariya, Govt. Girls H.S. School Nipant, Block Balod, District Durg (CG).

Ghanashyam Singh Baghel, aged about 35 years, S/o Shri Paras Ram Baghel, Bhariya, Govt. Boys H.S. School J./Sankara, Block Balod District Durg (CG).

PETITIONERS

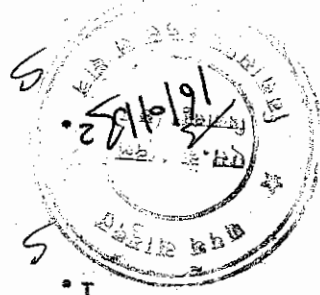
A N D

The State of Chhattisgarh,  
Through the Principal Secretary,  
Department of School Education, Mantralay,  
D.K.S. Building, Raipur, Tehsil and District Raipur.  
The Director,  
Public Instructions Directorate,  
Chhattisgarh, Raipur, Tehsil and District Raipur (CG).

The Collector,  
Durg, District Durg (CG).

The District Education Officer,  
Durg, Tehsil and District Durg (CG).

RESPONDENTS



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Clerk to A.C. Bilaspur

P. R. No. 191/04  
Presented by Shri Rajesh Kumar  
dated 17.11.04

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WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF  
INDIA

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आदेश पत्रक

WP 188/04

मामला क्रमांक ..... सन् 200

विरुद्ध .....

| आदेश का<br>दिनांक आदेश<br>क्रमांक सहित | आदेश हस्ताक्षर सहित                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार<br>के अन्तिम आदेश |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
|                                        | <p><b>10-3-2006</b></p> <p>Shri Rakesh Anthoni, counsel for the petitioner.<br/>Shri G.K. Beriwal, Dy. Advocate General for the State.</p> <p>Heard.</p> <p>The petitioner by this petition under Article 226/227 of the Constitution of India contends that though the orders have been passed regularization the petitioners but they are not being paid the scale whereas other similar situated persons / peons have already been regularized and they are enjoying the fruits of regular pay.</p> <p>Notices were issued and return has been filed by the respondents.</p> <p>In para 2 of the return it has been stated that vide order dated 30-12-2005 passed by the respondent No. 4 Annexure R-1, the employees, who have been recruited under the special drive programme by the Collector and have not been regularized after completion of three years of service, they have been regularized within the Education District of Durg. It is reiterated in para 6 of the return, which is relevant and quoted below:-</p> <p>"That the contents of para 5.6 of the petition are admitted with the modification that the employees who were working at Collectorate as Class - IV employee, has been regularized after completing more than 3 years service, their services has been regularized vide Annexure R-1. The petitioner, vide Annexure R-1, has been regularized, their</p> |                                                           |

[पीछे देखिये]

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आदेश पत्रक

WP 188/04

मामला क्रमांक

सन् 200

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
|                                  | -2-                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                        |
|                                  | <p>grievances no more survive; hence the petition is liable to be dismissed.</p> <p>Counsel for the petitioner submits that till today, the orders have not been complied with.</p> <p>Shri Beriwal prays for 4 weeks time to comply with the orders and passed appropriate order.</p> <p>Though the State Counsel prays for 4 weeks time, however in the ends of justice, six weeks time from the date of receipt of a copy of this Order is granted to the State so that order Annexure R/1 may be comply with. Report about compliance be submitted to the Registrar (Judicial) of this Court.</p> <p>In view of the above, the petition is allowed.</p> <p>Certified copy as per rules. Copy to State counsel for compliance.</p> | <p>Sd/-<br/>Fakhruddin<br/>Judge</p>                   |

[पीछे देखिये]

2/17/06  
13/3/12